

**A Working Meeting to Strengthen Capacity for Developing Policies
Affecting Genetic Resources***

**National Case Study (Egypt)
Protection of New Plant Varieties**

By

Eid M A Megeed

**Dir., Technology Management and Commercialization Office
Agricultural Research Center, University St., Giza 12619 EGYPT**

Egypt lies in the center of a unique region and is a rich source of plant genetic resources which includes the origin of many cereals, legumes, grasses, and herbs. New agricultural strategies mandates changes in agricultural practice through increasing urban expansion and strengthening national plant breeding programs. Strong national field crops breeding programs have been established to help transform Egypt from natural ecosystem to agro-ecosystem. Although modern varieties have raised the genetic yield potentials of crops and helped Egypt narrow the food gap, it has also unfortunately placed Egypt's plant genetic diversity, especially agro biodiversity, in jeopardy. The Agriculture Law of 53/1966 has dealt with varieties of registration and certification. The Ministerial Decree of 82/1998 indicates the provisions of the Crop Variety Registration Protocol and the requirement for variety identification (DUS) and performance (VCU). Such protocols have helped narrow the circle of genetic diversity by encouraging replacement of landraces by breeders' modern varieties, dominating of the total planted area by a small number of breeders' varieties and employing of small gene pool of proven high-yield varieties in developing new varieties. Other Decrees have been issued to deal with GM seed, DNA fingerprinting, and release of new varieties. The Egyptian Constitution (Article 151) states that any international convention, in which Egypt participates and ratifies, is a law. However, as a signatory for most of the international agreement, new plant variety protection was included in the National Law for Protection of Intellectual Property Rights (Law 82/2002). The law 82/2002 prohibits protecting plants, in whole or in part, or the genetic coding for the useful trait, organs, tissue cultures, live cells, natural biological matter, DNA, and genome under patents (Article 2). The Egyptian legislators did not like to adapt the same language of UPOV 91, e.g., essentially derived varieties, landrace and initial variety, minimum standard of protection, expansion of breeder's authorization concerning propagating materials, harvest material, end products, and farmer's privileges instead of farmer's rights, but it does not mean that the Law does not conform to the UPOV convention. Users of Egyptian GR and traditional knowledge should follow certain procedures to get PVP certificate. A New Plant Varieties Protection Office has been established to receive and examine all requests for new varieties protection and issuing PVP Certificate. A Permanent Consulting Board for Breeder Rights has been commissioned with memberships from all stakeholders to review all recommendations from Plant Varieties Protection Office.

***Rome-Italy, September 5-7, 2003**